

DEPARTMENT OF TRANSPORTATION

BUDGET SUMMARY

 INFRASTRUCTURE AND GENERAL GOVERNMENT APPROPRIATIONS SUBCOMMITTEE
 STAFF: BRIAN WIKLE
ISSUE BRIEF**INTRODUCTION**

In this issue brief I describe a funding item directed by the Executive Appropriations Committee (EAC) on December 16, 2020; summarize items included in the Governor's budget recommendations for the Department of Transportation (DOT) regarding budget adjustments, intent language, fees, and new funding; and discuss options from the Office of the Legislative Fiscal Analyst (LFA). The following adjustments are included in [H.B. 6](#), "Infrastructure and General Government Base Budget," and are not included in this brief:

1. Federal fund, dedicated credit, restricted fund, and account amounts that are the lesser of current year ongoing appropriations or amounts in the Governor's budget recommendations; and
2. Adjustments to nonlapsing balances, transfers, and other dependent amounts as calculated.

EAC FUNDING ITEM

The Executive Appropriations Committee directed that \$4.0 million be appropriated one-time in FY 2022 from the General Fund to Aeronautics – Airport Construction. This appropriation is not in the introduced version of H.B. 6.

GOVERNOR'S RECOMMENDED BUDGET ADJUSTMENTS

1. FTE Line Item Shift: transfer FTEs and associated appropriations from the Transportation Fund one-time in FY 2021 and ongoing in FY 2022 to best allocate manpower.

From Line Item - Program	To Line Item - Program	Amount
Ops./Maint. Mgmt. – Maint. Planning	Support Svcs. – Human Rsc. Mgmt.	\$101,000
Region Mgmt. - Region 2	Support Svcs. – Comptroller	\$39,000

2. Technical Reallocation - Federal/State Shift: reduce federal funds appropriations due to a decrease in projected federal funds receipts and increase Transportation Fund appropriations one-time in FY 2021 and ongoing in FY 2022.

Line Item	Program	Amount
Support Services	Internal Auditor	\$59,400
Operations/Maint. Management	Traffic Safety/Tram	\$120,100
	Traffic Ops. Center	\$111,200
Region Management	Region 1	\$52,400
	Region 2	\$309,100
	Region 3	\$157,800

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3. Dedicated Credits, Expendable Receipts, and Federal Revenue: increase amounts due to increases in projected revenues.

Line Item	Program	Financing Source	FY 2021	FY 2022
Aeronautics	Airport Construction	Federal Funds	\$806,000	\$984,900
Highway System Construction	Federal Construction	Federal Funds	\$84,357,200	\$69,747,000 \$66,124,000 1x
	State Construction		\$522,700	\$522,700
Cooperative Agreements	Cooperative Agreements	Expendable Rec.	\$25,000,000	\$25,000,000
		Federal Funds		\$15,000,000
Engineering Services	Program Development	Federal Funds	\$11,985,000	\$3,705,500 1x \$5,990,700
Operations/Maint. Management	Lands and Building	Dedicated Credits	\$1,100,000	\$1,100,000
	Traffic Safety/Tram		\$47,900	\$47,900
Support Services	Ports-of-Entry	Federal Funds	\$1,085,000	\$834,500 \$684,000 1x
	Human Rsc. Mgmt.		\$71,800	

GOVERNOR'S RECOMMENDED NEW TRANSPORTATION FUND ITEMS

Line Item	Program or Fund	FY 2021	FY 2022	Reason
Engineering Services	Program Dvlp.		\$1,000,000	Emerging area planning
	Research	\$151,800	\$925,900	Road usage charge (RUC) operations
		\$745,000	\$1,250,000 1x	State match increase - RUC
Operations/Maint. Management	Maintenance Administration		\$48,200	Increased lane miles
	Traffic Ops. Center		\$200,000 \$6,000,000 1x	Traffic mgmt. system
Support Services	Comptroller	\$15,000	\$60,000	B&C allocation administration
	Human Rsc. Mgmt.		\$50,000	Employee safety training
	Data Processing		\$685,200	Tech. systems upgrades

GOVERNOR'S RECOMMENDED NEW GENERAL FUND ITEMS

Line Item	Program or Fund	FY 2022	Reason
Aeronautics	Airplane Operations	\$7,000,000	Replace a plane
Amusement Ride Safety (ARS)	Amuse. Ride Safety	\$100,000 1x	Date of fee implementation
		(\$100,000) 1x ARS Rest. Acct.	
Engineering Services	Structures	\$6,000,000 1x	Rural electric vehicle charging
Pass-through	Pass-through	\$350,000,000 1x	Double track FrontRunner
		\$50,000,000 1x	Wasatch canyons transportation

SUMMARY OF INTENT LANGUAGE

Nonlapsing authorization. The table below summarizes DOT's requests to carry FY 2020 balances into FY 2021 that are included in H.B. 6.

Line Item (H.B. 6 Item #)	Nonlapsing Request	Purpose
Aeronautics (#19)	Up to \$5.0 million	Airport construction projects
Engineering Services (#20)	\$300,000	Special projects
	\$800,000	Road usage charge program
	\$700,000	Technical planning assistance
Operations/Maintenance Management (#21)	\$2,000,000	Highway maintenance
	\$200,000	Equipment purchases
	Up to \$1.5 million	Sale of property
Region Management (#22)	\$200,000	Region management
Support Services (#24)	\$300,000	Software development projects
	\$500,000	Building improvements
	Unexpended	Development of rules and standards
Amusement Ride Safety (#25)	\$200,000	Amusement ride safety program
Railroad Crossing Safety Grants (#26)	\$152,500	Railroad crossing safety grants

Performance measures. The department's performance measures focus on three strategic goals as stated on the [UDOT Performance Metrics Dashboard](#): zero crashes, injuries, and fatalities; preserve infrastructure; and optimize mobility. DOT measures each goal by using a weighted index of individual performance measures with targets. The following table summarizes DOT's performance measures intent language as shown in H.B. 6, Item 75.

Goal: Reduce Crashes, Injuries, and Fatalities	
Traffic fatalities	2% reduction
Traffic serious injuries	2% reduction
Traffic crashes	2% reduction
Internal fatalities	Zero
Internal injuries	Rate below 6.5%
Internal equipment damage	Rate below 7.5%
Goal: Preserve Infrastructure	
Pavement performance	50% in good condition
Pavement performance	< 10% in poor condition
Health of structures	80% in fair/good condition
Health of automated transportation management systems	90% in good condition
Health of signals	90% in good condition
Goal: Optimize Mobility	
Delay along I-15	Score above 90
Reliable fast condition on I-15 along the Wasatch Front	85% of segments
Optimal use of snow and ice equipment and materials	> 92% effectiveness
Support increase of trips by public transit	10%

Other intent language. The following table summarizes other intent language that is included in H.B. 6.

Line Item (H.B. 6 Item #)	Purpose
Highway System Construction (#68)	Use surplus Trans. Fund for (1) maximum participation with the federal government, and (2) construction of State highways.
Operations/Maint. Management (#71)	Maintenance funds previously used on state highways that qualify for TIF of 2005 may be used to maintain and preserve other state highways.
Safe Sidewalk Construction (#73)	Correct pedestrian hazards on highways at a state to local match of 75%/25%.
Transportation Investment Fund Capacity Program (#76)	Use surplus TIF of 2005 for construction, rehabilitation, and preservation of state and federal highways.

SUMMARY OF FEES

(a) [UCA 63J-1-504\(5\)](#) states, “Each fee agency shall submit its fee schedule or special assessment amount to the Legislature for its approval on an annual basis. The Legislature may approve, increase or decrease and approve, or reject any fee submitted to it by a fee agency”. Two fees have been eliminated in from this year’s fees: Express Lane – Variable Priced Toll because statute allows the Transportation Commission to set tolls; and Amusement Ride Citations which is replaced by more specific fees in this year’s fees. The table below shows the Department of Transportation’s proposed FY 2022 fees as presented in [S.B. 8](#), 2021 General Session (see lines 3106-3237). With the exception of new fees (highlighted), all proposed FY 2022 fees are the same as those authorized by the Legislature for FY 2021 in [H.B. 8](#), 2020 General Session (see lines 2483-2570).

Fee or Rate Name	Proposed FY 2022
Support Services – Administrative Services	
Express Lane – Administrative Fee	2.50
Non-sufficient Check Collection	20.00
Non-sufficient Check Service Charge	20.00
Tow Truck Driver Certification	200.00
Access Management Application	
Type 1	75.00
Type 2	475.00
Type 3	1,000.00
Type 4	2,300.00
Access Violation Fine (per day)	100.00
Encroachment Permits	
Landscaping	30.00
Manhole Access	30.00
Inspection (per hour)	60.00
Overtime Inspection (per hour)	80.00
Utility Permits	
Low Impact	30.00
Medium Impact	135.00
High Impact	300.00
Excess Impact	500.00
Operations/Maintenance Management – Region 4	
Lake Powell Ferry Rates	
Foot passengers	10.00
Motorcycles	15.00
Vehicles under 20’	25.00
Vehicles over 20’ (per additional foot)	1.50
Operations/Maintenance Management – Traffic Safety/Tramway	
Tramway Registration	
Two-car or Multicar Aerial Passenger Tramway	
Aerial Tramway – 101 Horse Power or over	2,030.00
Aerial Tramway – 100 Horse Power or under	1,010.00
Tramway Surcharge for winter and summer use	15%
This is a surcharge to the registration fee for passenger ropeways that are operated year round. 15% will be added to the registration fee for ropeways.	
Chair Lift	
Fixed Grip	
2 passenger	630.00
3 passenger	750.00
4 passenger	875.00
Conveyor, Rope Tow	260.00

Fee or Rate Name	Proposed FY 2022
Funicular – single or double reversible	2,030.00
Rope Tow, J-bar, T-bar, or platter pull	260.00
Detachable Grip Chair or Gondola	
3 passenger	1,510.00
4 passenger	1,625.00
6 passenger	1,750.00
8 passenger	1,880.00
Gondola – cabin capacity from 5 to 8	1,010.00
Gondola – cabin capacity greater than 8	2,030.00
Aeronautics – Administration	
Convenience Fee (for Credit or Debit Card Payment)	3%
Aeronautics – Airplane Operations (Aircraft Rental)	
Cessna (per hour)	195.00
King Air C90B (per hour)	935.00
King Air B200 (per hour)	1,200.00
DOT Non-Budgetary – XYD DOT Miscellaneous Revenue	
Event Coordination, Inspection and Monitoring (Regular Hours) (per Hour)	60.00
Event Coordination, Inspection and Monitoring (NonRegular Hours) (per Hour)	80.00
Special Event Application Review (Single Region) (per Event)	250.00
Special Event Application Review (Multi-Region) (per Event)	500.00
Expedited Review Fee (per Event)	600.00
Outdoor Advertising	
New Permit	950.00
Permit Renewal & Admin Services Fee	90.00
Permit Renewal Late Fee (per Sign)	300.00
Sign Alteration Permit (per Sign)	950.00
Transfer of Ownership Permit	250.00
Retroactive Permit Fee Penalty (per Sign)	250.00
Impound and Storage Fees	25.00
Amusement Ride Safety	
Citations - Denying Access to the Director 1st Offense	1,000.00
Citations - Denying Access to the Director 2nd Offense	1,500.00
Citations - Failure to Maintain Proper Records for an Amusement Ride 1st Offense	500.00
Citations - Failure to Maintain Proper Records for an Amusement Ride 2nd Offense	1,000.00
Citations - Failure to Notify Director of Intent to Operate within the State 1st Offense	500.00
Citations - Failure to Notify Director of Intent to Operate within the State 2nd Offense	1,000.00
Citations - Failure to Report a Reportable Injury to the Director within Eight Hours after the Owner-operator Learns of the Reportable Serious Injury 1st Offense (per Violation, per Ride, per Day)	1,000.00
Citations - Failure to Report a Reportable Injury to the Director within Eight Hours after the Owner-operator Learns of the Reportable Serious Injury 2nd Offense (per Violation, per Ride, per Day)	1,500.00
Citations - Failure to Report a Serious Physical Injury to Fair, Show, Landlord, or Owner of the Property 1st Offense (per Violation, per Ride, per Day)	500.00
Citations - Failure to Report a Serious Physical Injury to Fair, Show, Landlord, or Owner of the Property 2nd Offense (per Violation, per Ride, per Day)	750.00
Citations - Failure to Update Locations of Operation with Director Prior to Operation 1st Offense (per Violation, per Ride, per Day)	250.00
Citations - Failure to Update Locations of Operation with Director Prior to Operation 2nd Offense (per Violation, per Ride, per Day)	500.00
Citations - Falsifying an Application to the Director 1st Offense	1,000.00

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Fee or Rate Name	Proposed FY 2022
Citations - Falsifying an Application to the Director 2nd Offense	1,500.00
Citations - Operation of an Amusement Ride by an Unqualified Person 1st Offense (per Violation, per Ride, per Day)	500.00
Citations - Operation of an Amusement Ride by an Unqualified Person 2nd Offense (per Violation, per Ride, per Day)	1,000.00
Citations - Operation of an Amusement Ride in Violation of a Cease and Desist Order 1st Offense (per Violation, per Ride, per Day)	1,000.00
Citations - Operation of an Amusement Ride in Violation of a Cease and Desist Order 2nd Offense (per Violation, per Ride, per Day)	2,500.00
Citations - Operation of an Amusement Ride without a Current Permit 1st Offense (per Violation, per Ride, per Day)	500.00
Citations - Operation of an Amusement Ride without a Current Permit 2nd Offense (per Violation, per Ride, per Day)	1,000.00
Citations - Operation of an Amusement Ride without Current Safety Inspection Report 1st Offense (per Violation, per Ride, per Day)	500.00
Citations - Operation of an Amusement Ride without Current Safety Inspection Report 2nd Offense (per Violation, per Ride, per Day)	1,000.00
Citations - Operation of an Amusement Ride without Proper Liability Insurance 1st Offense (per Violation, per Ride, per Day)	500.00
Citations - Operation of an Amusement Ride without Proper Liability Insurance 2nd Offense (per Violation, per Ride, per Day)	1,000.00
Citations - Other Violations to the Statute or Rules not Listed 2nd Offense	250.00
Annual Amusement Ride Permit	
Kiddie Ride	100.00
Non-kiddie Ride	100.00
Multi-ride Annual Amusement Ride Permit (For all amusement rides located at an amusement park that employs more than 1,000 individuals in a calendar year)	
Permit Fee per Ride	
Kiddie Ride	100.00
Non-kiddie Ride	100.00
Annual Inspector Registration	
Application Fee	50.00
Renewal Fee (every two years)	40.00

LFA OPTIONS

The Legislative Fiscal Analyst presents the options below for the consideration of the committee.

- Capital improvement funding shift. H.B. 6 contains appropriations from the General and Education funds for capital improvements that are equivalent to 1.3 percent of the current replacement value (CRV) of existing state facilities and infrastructure. The Legislature could appropriate \$3,620,500 from the Transportation Fund rather than from the General Fund for capital improvements for the department's facilities.
- Include a capital acquisition component in aircraft rental rates. The Division of Aeronautics' aircraft rental rates are calculated to cover the direct operating costs of flying the aircraft. The division could include a capital acquisition component to the rental rates. DOT estimates that doing so would increase the hourly rental rates by about \$1,200.
- Technical planning assistance. Move the \$900,000 ongoing General Fund appropriation from Engineering Services - Program Development to the Pass-through line item.